

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RONALD JAY BIANCHI,

Plaintiff,

v.

KAREN BRUNSON,

Defendants.

Case No. C07-5329 FDB/KLS

ORDER EXTENDING
RESPONDENT'S TIME TO FILE
AN ANSWER

This habeas corpus action has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 1, 3 and 4. Before the Court are Respondent's requests for extension of time to file an answer to the petition for habeas corpus. (Dkt. # 11 and # 13).

Respondent's answer was due on September 17, 2007. (Dkt. # 12). Respondent originally requested an extension of time, until October 15, 2007, to obtain and review the files from Petitioner's proceedings in the Washington Courts. (Dkt. # 11). Respondent states that the state court files are necessary to determine whether Petitioner has properly exhausted available state remedies, and to respond to the merits of the habeas petition. (Dkt. # 12). Respondent has ordered the files from Petitioner's proceedings in the Washington courts, but has not yet received them from the Washington Court of Appeals. (*Id.*) On October 11, 2007, Respondent filed a second extension,

1 until November 14, 2007, because Respondent is still awaiting one additional file for review from the
2 Washington Court of Appeals. (Dkt. # 14). Petitioner filed no opposition to Respondent's first
3 request for an extension.
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5 Accordingly, it is **ORDERED**:

- 6 1. Respondent's motions for an extension of time to file an answer to the petition for a
7 writ of habeas corpus (Dkt. # 11 and 13) are **GRANTED**. Respondent shall file her
8 answer on or before **November 19, 2007**;
- 9 2. Petitioner may file reply brief not later than **November 23, 2007**;
- 10 3. The Clerk of the Court shall **re-note** the Petition for Writ of Habeas Corpus (Dkt. # 1)
11 for **November 23, 2007**; and
- 12 4. The Clerk shall send copies of this Order to the Petitioner and to counsel for the
13 Respondent.

14 DATED this 16th day of October, 2007.

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17 Karen L. Strombom
18 United States Magistrate Judge
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